

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

MARY EVANS,	:	Case No. 1:18-cv-632
	:	
Plaintiff,	:	Judge Timothy S. Black
	:	Magistrate Judge Karen L. Litkovitz
vs.	:	
	:	
COMMISSIONER OF SOCIAL	:	
SECURITY,	:	
	:	
Defendant.	:	

**DECISION AND ENTRY
ADOPTING THE REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE (Doc. 16)**

This case is before the Court pursuant to the Order of General Reference to United States Magistrate Judge Karen L. Litkovitz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court and, on August 20, 2019, submitted a Report and Recommendation. (Doc. 16). Plaintiff filed objections on August 27, 2019 (Doc. 17), and Defendant filed a response on September 10, 2019 (Doc. 18).

Plaintiff objects to the Magistrate Judge's finding that the ALJ did not impermissibly interpret raw medical data. (Doc. 17 at 1). More specifically, Plaintiff argues that the ALJ improperly rejected the medical opinions of Dr. Torres and Dr. Lorenz with regard to an MRI of Plaintiff's cervical spine showing some degenerative disc disease as "inconsistent with the objective medical evidence." (*Id.* at 2-3). This objection was raised in Plaintiff's Statement of Errors (Doc. 11 at 6-9) and thoroughly addressed by the Magistrate Judge (Doc. 16 at 17-20). The Court agrees with the

Magistrate Judge's reasoning that the ALJ's consideration the opinions of Dr. Torres and Dr. Lorenz regarding Plaintiff's ability to work against other medical evidence (as interpreted by Plaintiff's physicians) did not amount to an improper interpretation of raw medical data. Further, the Court agrees with Defendant that Plaintiff's attempt to distinguish *Rudd v. Commissioner of Social Security*, 531 F. App'x 719, 726-27 (6th Cir. 2013), is inapposite.

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that Plaintiff's objections (Doc. 17) should be and are hereby **OVERULED** and the Report and Recommendation (Doc. 16) should be and is hereby **ADOPTED** in its entirety.

Accordingly, for the reasons stated above:

- 1) The Commissioner's decision is **AFFIRMED**, as that decision is supported by substantial evidence;
- 2) The Clerk shall enter judgment accordingly, whereupon this case is **TERMINATED** from the docket of this Court.

IT IS SO ORDERED.

Date: 9/28/2019

/s/ Timothy S. Black
Timothy S. Black
United States District Judge